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R. SHAH, MD, LTD.; and RADAR  
MEDICAL GROUP, LLP dba UNIVERSITY  
URGENT CARE

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALLSTATE INSURANCE COMPANY,  
ALLSTATE PROPERTY & CASUALTY  
INSURANCE COMPANY, ALLSTATE  
INDEMNITY COMPANY, and ALLSTATE  
FIRE & CASUALTY INSURANCE  
COMPANY,

Plaintiffs,

vs.

RUSSELL J. SHAH, M.D.; DIPTI R. SHAH,  
M.D.; RUSSELL J. SHAH, MD, LTD.; DIPTI  
R. SHAH, MD, LTD.; and RADAR MEDICAL  
GROUP, LLP dba UNIVERSITY URGENT  
CARE, Does 1-100, and ROES 101-200,

Defendants.

AND RELATED CLAIMS.

Case No. 2:15-cv-01786-APG-DJA

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
REPLIES TO RESPONSES TO  
SUMMARY JUDGMENT MOTIONS**

**(Second Request)**

Defendants and Counterclaimant Russell J. Shah, M.D., Dipti R. Shah M.D., Russell J. Shah, MD, Ltd., Dipti R. Shah, MD, Ltd., and Radar Medical Group, LLP d/b/a University Urgent Care (collectively, the “Radar Parties”) and Plaintiffs/Counterdefendants Allstate Insurance Company, Allstate Property & Casualty Insurance Company, Allstate Indemnity Company, and Allstate Fire & Casualty Insurance Company (collectively, the “Allstate Parties”), by and through their respective attorneys of record, stipulate and agree as follows:

1. On December 16, 2022, Radar filed its detailed Motion for Summary Judgment Regarding Allstate’s Failure to File an Answer to the Amended Counterclaims [ECF No. 457] (“Radar MSJ No. 1”).

2. On December 16, 2022, the Allstate Parties filed their detailed Motion for Summary Judgment as to both counterclaims alleged by Radar in this matter [ECF No. 458] (“Allstate MSJ”).

3. On December 16, 2022, the Radar Parties filed their Motion for Summary Judgment on Allstate’s Causes of Action in its First Amended Complaint [ECF Nos. 460, 461] (“Radar MSJ No. 2”).<sup>1</sup> It is an extensive, detailed motion covering 50 pages of points and authorities<sup>2</sup> along with 35 volumes of exhibits [ECF Nos. 462-496] gleaned from the extensive discovery that took place in this matter.

4. On March 9, 2023, the Allstate Parties filed their Response [ECF No. 511] to Radar MSJ No. 1.

5. On March 10, 2023, Radar filed its Response [ECF Nos. 514, 515] to the Allstate MSJ.<sup>3</sup> The response contains 30 pages of points and authorities along with 22 volumes of exhibits [ECF Nos. 516-523, 525-537, 539-543].

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<sup>1</sup> ECF No. 460 was publicly-filed and ECF No. 461 was filed under seal.

<sup>2</sup> Pursuant to the Court’s December 16, 2022 Minute Order [ECF No. 456], the Radar Parties were granted leave to file an oversized brief that did not exceed 50 pages.

<sup>3</sup> ECF No. 514 was publicly-filed and ECF No. 515 was filed under seal.

1           6.       On March 14, 2023, the Allstate Parties filed their Response [ECF No. 547] to Radar  
2 MSJ No. 2. The response contains 61 pages of points and authorities<sup>4</sup> along with three volumes of  
3 exhibits. In addition, the Allstate Parties filed their 71-page Evidentiary Objections to Questions  
4 Posed During Allstate Insurance Company’s 30(b)(6) Depositions [ECF No. 551] (the “Evidentiary  
5 Objections”).

6           7.       Pursuant to a Stipulation of the parties submitted on March 15, 2023 [ECF No. 552],  
7 which was granted pursuant to the Court’s March 23, 2023 Order [ECF No. 553], the Replies to the  
8 Responses to Radar MSJ No. 1, Radar MSJ No. 2, and the Allstate MSJ (collectively, the  
9 “Motions”), and the Response to the Evidentiary Objections, are due on or before April 28, 2023.

10          8.       Since then, counsel for the parties have been diligently working on the Replies.  
11 However, given the number of issues presented and exhibits attached to the Responses, and due to  
12 time-pressing work commitments in other matters, additional time is needed for the parties to  
13 prepare and file their Replies to the Responses to the Motions (and for the Radar Parties to file their  
14 Response to the Evidentiary Objections).

15          9.       Further, as directed by the Court’s March 12, 2023 Order [ECF No. 545], the parties  
16 met and conferred for purposes of deciding which exhibits should be sealed or redacted in relation to  
17 the Allstate Parties’ Response to Radar MSJ No. 1. The parties submitted a Stipulation on March  
18 31, 2023 [ECF No. 554], which was granted by the Court’s April 6, 2023 Order [ECF No. 555].

19          10.      Also, on April 10, 2023, the Court entered an Order directing the Allstate Parties to  
20 file a renewed motion to seal by May 1, 2023, in relation to their Response to Radar MSJ No. 2. The  
21 parties are in the process of meeting and conferring in response to the Court’s April 10, 2023 Order.  
22 By May 1, 2023, the parties will submit a Stipulation identifying which exhibits should be sealed or  
23 redacted and the compelling reasons for doing so.

24          11.      In light of the amount of time that was initially granted to the parties to file their  
25 respective Motions after the close of discovery; the amount of time that was granted to the parties to  
26 file their respective Responses to the Motions; the number of issues and claimants involved in this

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28 <sup>4</sup> Pursuant to the Court’s March 9, 2023 Minute Order [ECF No. 510], the Allstate Parties  
were granted leave to file an oversized brief that did not exceed 61 pages.

1 case; the sheer volume of discovery that was completed (*see, e.g.*, Order [ECF No. 427] at 2:13-8:6);  
2 the critical importance of the Motions; the number of exhibits attached to the parties' briefing on  
3 summary judgment; the existing work schedule of counsel for the parties, including, but not limited  
4 to, appellate briefing in other matters for the Allstate Parties' counsel and discovery-related work  
5 and motion practice in other matters for the Radar Parties' counsel; and in order to ensure that the  
6 parties have a full and adequate opportunity to address the Responses to their respective Motions,  
7 good cause exists to extend the deadlines for Replies to the Responses to the Motions and for the  
8 Response to the Evidentiary Objections as follows:

9 a. Radar Medical shall now have until May 12, 2023 to file its Reply to the  
10 Response to Radar MSJ No. 1;

11 b. The Allstate Parties shall now have until May 12, 2023 to file their Reply to  
12 the Response to the Allstate MSJ; and

13 c. The Radar Parties shall now have until May 12, 2023 to file their (i) Reply to  
14 the Response to Radar MSJ No. 2 and (ii) Response to the Evidentiary Objections.

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12. This is the second request to extend the deadlines for Replies to Responses to the Motions and for the Response to the Evidentiary Objections. This stipulation is made in good faith and not to delay the proceedings.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 21<sup>st</sup> day of April, 2023.

DATED this 21<sup>st</sup> day of April, 2023.

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**IT IS SO ORDERED.**

  
UNITED STATES DISTRICT JUDGE

DATED: April 24, 2023